

September 13, 2017



U.S. Department
of Transportation

East Building, PHH-30
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

**Pipeline and Hazardous
Materials Safety Administration**

DOT-SP 20412

EXPIRATION DATE: 2018-02-28

(FOR RENEWAL, SEE 49 CFR 107.109)

1. GRANTEE: American Railcar Industries, Inc.
Saint Charles, MO
2. PURPOSE AND LIMITATIONS:
 - a. This emergency special permit authorizes the transportation in commerce of tanks cars with cast manway covers that have been produced by casting facilities that do not meet the quality assurance program requirements required by AAR MSRP 1002/1003. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein. The most recent revision supersedes all previous revisions.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 179.7(a) in that the quality assurance program must be approved by the AAR, except as specified herein.

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5. BASIS: This special permit is based on the application of American Railcar Industries, Inc. dated February 3, 2017 submitted in accordance with § 107.117 and a determination that it is necessary to prevent significant economic loss.
6. HAZARDOUS MATERIALS (49 CFR 172.101):

Hazardous Material Description			
Proper Shipping Name	Hazard Class/ Division	Identi- fication Number	Packing Group
Corrosive liquids, n.o.s.	8	UN1760	III

7. SAFETY CONTROL MEASURES:

a. PACKAGING - The packaging prescribed is a DOT 111 specification rail tank car equipped with a cast manway cover as described in the special permit application on file with the Office Hazardous Materials Safety Approvals and Permits Division; the cast manway covers have been produced at casting facilities that do not meet the quality assurance program requirements required by AAR MSRP 1002/1003 The cast manway cover authorized must be inspected in accordance with the inspection requirements of paragraph 7.b. of this special permit.

b. TESTING - American Railcar Industries, Inc. must perform 100% radiographic inspection of all cast manway covers in accordance with ASTM E446-18, Standard Reference Radiographs for steel castings up to 2 inches in thickness.

c. OPERATIONAL CONTROLS -

(1) The special permit authorizes the 1,055 cast manway covers that have been cast and had not been applied to the current American Railcar Industries, Inc. rail tank car fleet.

(2) New construction of cast manway covers is not authorized under the terms of this special permit.

September 13, 20178. SPECIAL PROVISIONS:

a. Persons may use the packaging with the manway cover authorized by this special permit for the transportation of the hazardous materials specified in paragraph 6., only in conformance with the terms of this special permit.

b. A person who is not a holder of this special permit, but receives a package covered by this special permit, may reoffer it for transportation provided no modification or change is made to the package and it is offered for transportation in conformance with this special permit and the HMR.

c. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

d. A current copy of this special permit must be maintained at each facility where the authorized manway cover is installed on a DOT 111 specification rail tank car. It must be made available to a DOT representative upon request.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.10. MODAL REQUIREMENTS: None as a requirement of this special permit.11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

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Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)—"The Hazardous Materials Safety and Security Reauthorization Act of 2005" (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term "exemption" to "special permit" and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for William Schoonover
Associate Administrator for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, East Building PHH-30, 1200 New Jersey Avenue, Southeast, Washington, D.C. 20590.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm
Photo reproductions and legible reductions of this special permit

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are permitted. Any alteration of this special permit is prohibited.

PO: MAJORS